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REMARKS

The present response is to the action mailed in the above-referenced case on December 01, 2003, in which the Examiner rejected claims 1-15 under the judicially-created doctrine of obviousness-type double patenting; rejected claim 1 under 35 U.S.C. 112, second paragraph stating lack of an antecedent basis for "the subscriber's computer"; rejected claim 1-3, 6 and 8-11 under 35 U.S.C. 102(e) as anticipated by Schulhof, US 5,841,979, hereinafter Schulof; and rejected claims 4, 7, 13 and 15 under 35 U.S.C. 103(a) as obvious over Schulof in view of Logan, US 5,721, 827, hereinafter Logan.

After a careful study of the references and the Examiner's rejections and statement, applicant has canceled claims 1-15, and has added six new claims 16-21 for examination. In support of the new claims applicant directs the Examiner's attention to the following passages in the original specification of the parent case, which was filed January 12, 1998:

Pg 4 and 5: "Sources of information in embodiments of the present invention may be quite varied, including TV as well as radio stations, and are limited only in that the sources need to be capable of providing information to server 120 in a form that the server may use."

Pg. 9 and 10: "In one embodiment a liquid crystal display (LCD) 213 is provided and connected to internal bus 204 through a display driver for the purpose of allowing a subscriber to view content such as the channel selected, status information regarding wireless updates and so on, as well as multimedia files."

Pg 10, 17-10: "For example, in one embodiment, an E-mail client could be used to download E-mail from the Internet while in the field."

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Pg. 7 and 8: "In a further enhancement of the system and the playback device, there is an antenna 114 associated with playback device 110. In a preferred embodiment the antenna is removable. Now in a removed state, playback device 110b can be used in the field and further has the capability of receiving updates from a wireless transmitter 122 via a broadcast signal 106. Broadcast signal 106 may be customized or tailored to the individual subscriber via methods known in the art of wireless transmission such as addressing techniques, encryption keys and so on, including logging on of the wireless device. For example, to provide the subscriber with a level of privacy, an encryption key may be downloaded to playback device 110a in anticipation of receiving the updates in the field after it is removed from the subscriber's computer.

Wireless transmitter 122 is connected to an update server 121 via a digital connection 105. Update server 121 is dedicated to providing updates of information to those subscribers who are out in the field. This arrangement assumes that when a subscriber is using playback device 110 in the field, a method for the determination of that particular state is known to host server 120. This may be accomplished, in one embodiment, by a signal sent to host server 120 from playback device 110 via wireless transmitter 122 through digital connection 105 to update server 121, and through digital connection 104. In another embodiment, playback device 110 has the capability of connecting to the Internet in much the same way as an Internet-capable cellular phone using wireless technology. In yet another embodiment, a brief connection to the Internet is made from PC 123 when playback device 110 disengages and a code is sent to host server 120 indicating that the subscriber is now in the field. Similarly, a code could be sent again when the subscriber reconnects playback device 110 to PC 123 indicating that playback device 110 is no longer in the field. In still another embodiment, up-dates may be sent simultaneously via the Internet and wireless transmission to subscribers regardless of whether or not they are in the field. It

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will be apparent to one with skill in the art that there are many different possibilities regarding the receiving of updated information to playback device 110 without departing from the spirit and scope of the present invention, many of which have already been described."

If there are any time extensions needed for the present response, such extension is hereby requested. If there are any fees due beyond any fees paid with the present response, such fees are authorized to be deducted from deposit account 50-0534. If there are any time extensions needed, such extension is hereby requested.

Respectfully submitted,

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by



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